

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON – TACOMA

JAMES S. BLEDSOE and DENISE BLEDSOE,

Petitioners.

CASE NO. 3:16-cv-05155

PETITION FOR ORDER
AUTHORIZING DEPOSITION
TO PERPETUATE TESTIMONY

Pursuant to FRCP Rule 27, James L. Holman, attorney for Petitioners, moves the Court for an order authorizing the Petitioners to depose James S. Bledsoe in order to perpetuate his testimony.

(A) Petitioners James S. Bledsoe and Denise Bledsoe filed a Standard Form 95 Claim for Damage, Injury or Death which was received by the U.S. Department of Veteran's Affairs (VA), Office of Regional Counsel on September 11, 2015. It has not been six months since filing the tort claims and the VA has not denied Petitioners' claims. (See Holman Decl., Exh. A)

(B) Petitioners contend that the VA Puget Sound healthcare providers violated the standard of care in their care and treatment of James S. Bledsoe in failing to timely and properly evaluate, treat and/or refer James S. Bledsoe for proper treatment for an L2 lumbar compression fracture. Due to the delay of the VA Puget Sound Health Care System, James

1 S. Bledsoe is now a permanent paraplegic and has sustained additional severe and
2 permanent injuries.

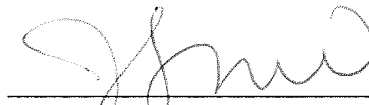
3 (C) Petitioner James S. Bledsoe has knowledge of facts relevant to his claims and
4 injuries. Petitioner James S. Bledsoe's condition has worsened and doctors are giving him
5 less than six months to live. (See Holman Decl., Exh. B)

6
7 (D) Petitioners expect the adverse party to be the United States of America on the
8 basis of the determination pursuant to 28 U.S.C. Sec. 2671 that the Department of Veteran's
9 Affairs d/b/a VA Puget Sound Health Care System and its physicians and employees are
10 employees of the Government.

11 (E) The name and address of the deponent is Petitioner James S. Bledsoe; 8901 –
12 53rd Ave CT E, Tacoma WA 98446. The expected substance of James S. Bledsoe's
13 testimony are facts surrounding his initial injury, care and/or omission of care at the VA
14 following injury up to surgery on December 11, 2014 at the University of Washington and
15 as well as his physical and mental condition since, permanent paralysis with serious and life
16 threatening medical condition.
17

18 RESPECTFULLY SUBMITTED this 25 day of February, 2016.

19 HOLMAN LAW, PLLC

20 

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Counsel for Petitioners

CERTIFICATE OF SERVICE

I certify that on the date noted below, I electronically filed this document entitled _____ with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following CM/ECF participant:

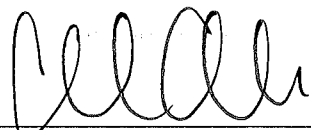
I further certify that I have caused to be served in the manner noted below a copy of the above-mentioned document to the following non-CM/ECF participant(s):

I certify that on the date noted below, I caused for delivery a copy of this document entitled **PETITION FOR ORDER AUTHORIZING DEPOSITION TO PERPETUATE TESTIMONY** to the following and in the following manner:

Department of Veterans Affairs
Office of Regional Counsel
Attention: Phil Cozzoni
1012 Honor Heights, Bldg. 7
Muskogee, OK 74401

☒ via U.S. Mail
☒ via Facsimile
☐ via E-Mail
☐ via Other

DATED this 25th day of February 2016, at Tacoma, Washington.



Dao A. Nguyen, Legal Assistant